

ORDINANCE NO. 12-16

AN ORDINANCE AMENDING TITLE 6, CHAPTER 2 SECTION 17 RE NOISE

WHEREAS, the Morton Municipal Code was adopted on March 2, 1970, and duly published in book form; and

WHEREAS, the Village of Morton has power to enact ordinances for protection of the public health, safety, morals and welfare; and

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON as follows:

SECTION ONE: That Title 6, Chapter 2, Section 17 is hereby deleted in its entirety and the following substituted in its place:

6-2-17 NOISE

(A) General Prohibitions

1. No person shall make, continue, or cause to be made or continued:
 - (a) any unreasonably loud, disturbing and unnecessary noise within the corporate limits;
 - (b) any noise which unreasonably disturbs, injures, or endangers the comfort, repose, health, peace or safety of reasonable persons of ordinary sensitivity; and
 - (c) any noise which is so harsh, prolonged, unnatural, or unusual in time or place: i) as to occasion unreasonable discomfort to any persons within the neighborhood from which said noise emanates; ii) as to unreasonably interfere with the peace and comfort of neighbors or their guests or operators or customers in places of business; or iii) as to detrimentally or adversely impact such residences or places of business.
2. Factors for determining whether a sound is unreasonably loud, disturbing and unnecessary include, but are not limited to, the following:

- (a) The proximity of the sound to residences;
- (b) The land use, nature, and zoning of the area from which the sound emanates and the area where it is received or perceived;
- (c) The time of day or night the sound occurs;
- (d) The duration of the sound; and
- (e) Whether the sound is recurrent, intermittent, or constant.

(B) Noise – Exemptions

The following uses and activities shall be exempt from the provisions contained in subsections 1 and 2:

- 1. Heating and cooling equipment and utility service equipment when it is functioning in accordance with manufacturer's specifications and is in proper operating condition.
- 2. Building/home/property/landscape maintenance equipment (including lawn mowers) when it is functioning (between the hours of 8:00 a.m. and 9:00 p.m.) in accordance with the manufacturer's specifications and with all mufflers and noise-reducing equipment in use and in proper operating condition. In special or extraordinary circumstances, the Superintendent of Public Works may authorize construction activity before 8:00 a.m. or after 9:00 p.m. for public works projects under the direction of the Village.
- 3. Motor vehicles on streets and roadways of the Village, subject to the provisions of the Illinois Vehicle Code.
- 4. Noises of safety signals, warning devices and emergency pressure relief valves.
- 5. Noises resulting from any authorized emergency vehicle when responding to an emergency call or acting in time of emergency.
- 6. Noises resulting from emergency work repairs of telecommunications and/or utility structures to prevent or alleviate physical trauma or property damage threatened or caused by an emergency which has or may result in a disruption of service and which is necessary to protect the health, safety and welfare of persons or property.
- 7. Noises from the normal operation of railroad trains.

8. Activities sanctioned or authorized by the Village of Morton, Morton Park District, or Morton School District 709 in which the location of such activities are conducted in accordance with the manners and customs in which such spaces are generally used. This would include, but not be limited to, outdoor or indoor gatherings, public dances, shows, and sporting events, and other similar events of public assembly.
9. Church bells provided they are periodic and not constant and only sounded between the hours of 8:00 a.m. and 9:00 p.m.

SECTION TWO: That this ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

SECTION THREE. Any Section or provision of this ordinance that is construed to be invalid or void shall not affect the remaining sections or provisions which shall remain in full force and effect thereafter.

PASSED AND APPROVED at a regular meeting of the President and Board of Trustees of the Village of Morton this 3rd day of December, 2012; and upon roll call the vote was as follows:

AYES: Belsley, Keer, Hermann, Kaufman, Newhouse, Garcho

NAYS: Ø

ABSENT: Ø

ABSTAINING: Ø

APPROVED this 3rd day of December, 2012.

Thomas Douglas
President

ATTEST:

Joseph A. Doherty
Village Clerk

